

EXHIBIT 2

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

Curtis L. Leach

v.

Civil Action No. 5:22-cv-00009-D

T.D. Bank, N.A., et al.,

DECLARATION OF KELLY TURNER

I, Kelly Turner, pursuant to 28 U.S.C. § 1746, do declare and state as follows:

1. My name is Kelly Turner. I am over the age of 21 years and of sound mind. I understand the taking of an oath. I have personal knowledge of every statement made in this declaration, all of which are true and correct.

2. I am a Senior Counsel at the American Arbitration Association, Inc. (“AAA”). I have served in this role for more than 4 years. In my role, I have access to the records of consumer arbitrations initiated with the AAA, including arbitrations that were purported to be initiated by Curtis Leach.

3. I make this declaration based upon the information available to me and/or the files that the AAA keeps regarding the matters referenced below. These records, including the records attached hereto, are kept in the ordinary course of the AAA’s regularly conducted business activities and were made by someone with knowledge of the records’ contents at or near the time the subject information was received by the AAA. It was a regular practice of the AAA to make and maintain these business records.

4. AAA case numbers 01-22-0004-9106 and 01-23-0004-9106 are not associated with any of Curtis Leach, Bridgecrest Credit Company (“Bridgecrest”), or RAC Acceptance East d/b/a

Acceptance Now and Rent-A-Center d/b/a Acima Credit, LLC (“AcceptanceNow”). AAA does not have a case in its case management system with the case number 01-22-0004-9105.

5. AAA has no record of Curtis Leach’s filing with AAA a request for arbitration against Bridgecrest or AcceptanceNow on July 15, 2022 or any time before October 30, 2023.

6. On October 30, 2023, the AAA received through its online filing portal a request to initiate an arbitration, which AAA assigned case number 01-23-0004-9105 (the “Arbitration”). The filing identified the claimant as “Curtis Leach” with an email address of “curtis.l.leach@outlook.com.” The filing did not list a specific respondent but attached a document entitled, “Defendant Bridgecrest Credit Company’s Motion To Dismiss Or In The Alternative Motion To Stay Proceedings And Compel Arbitration,” which had a caption for the court case *Curtis L. Leach v. TD Bank, N.A., et al.*, Case No. 5:22-CV-00009-D (E.D.N.C.).

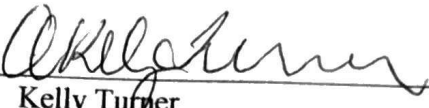
7. On December 6, 2023, AAA advised “curtis.l.leach@outlook.com” via email that it had closed the Arbitration because claimant had not submitted certain documents required to initiate an arbitration. A true and correct copy of the AAA’s December 6, 2023 email to curtis.l.leach@outlook.com is attached hereto as Exhibit A.

8. The AAA has no record of any other requests to initiate an arbitration from Curtis Leach or “curtis.l.leach@outlook.com.”

9. AAA has no reason to believe that it made any errors during the processing of the Arbitration or that it provided Curtis Leach with incorrect information, including filing dates or case numbers.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1st day of April, 2024.



Kelly Turner

From: Case Filing
Sent: Wednesday, December 06, 2023 1:59 PM
To: curtis.l.leach@outlook.com
Cc: Case Filing
Subject: Case Number 01-23-0004-9105

Dear Claimant:

We are in receipt of documents from claimant seeking to initiate arbitration between the above-referenced parties. Claimant's submissions are incomplete; accordingly, the AAA will not proceed with administration. Specifically, claimant failed to submit the following items required to initiate arbitration under the rules:

- A completed Demand, including the parties' contact information (attached for your convenience);
- The \$225 filing fee in accordance with the Consumer Fee Schedule; and

The AAA has administratively closed its file. Upon receipt of the omitted items, the AAA will reopen a file and proceed with administration. Kindly reference the case number when re-submitting the documents.

Please note all communication for this matter will be in writing.

Please contact casefiling@adr.org with any filing questions. If you are not filing online, please submit filing requirements to casefiling@adr.org

Sincerely,
Case Filing

Case Filing

T: 877-495-4185 F: 877-304-8457 E: CaseFiling@adr.org